

Regular Session, 2012

HOUSE BILL NO. 820

BY REPRESENTATIVE SMITH

CURRICULA: Requires rather than authorizes sex education instruction in public schools

1 AN ACT

2 To amend and reenact R.S. 17:3996(B)(15), to enact R.S. 17:264, and to repeal R.S. 17:281,  
3 relative to sex education instruction in public schools; to require rather than  
4 authorize sex education instruction in public schools; to provide for guidelines and  
5 curricula for such instruction; to provide for definitions; to provide for applicability;  
6 to provide for rules and regulations; to provide for effectiveness; and to provide for  
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:264 is hereby enacted to read as follows:

10 §264. Sex education; required instruction

11 A. The legislature finds that sex education promotes healthy attitudes  
12 concerning growth and development, body image, gender identity, dating,  
13 relationships, and family life and provides students with the information and skills  
14 they need to develop positive values, make good decisions, and respect the important  
15 role sexuality plays throughout a person's life. Effective sex education instruction  
16 is part of a broader instruction program preparing young people to reach intellectual  
17 and emotional maturity.

18 B. For the purposes of this Section, the following terms shall have the  
19 following meanings:

20 (1) "Age appropriate" means topics, messages, and teaching methods  
21 suitable to particular ages or age groups of children and adolescents, based on

1        developing cognitive, emotional, and behavioral capacity typical for the age or age  
2        group.

3                (2) "Medically accurate" means supported by peer-reviewed research  
4        conducted in compliance with accepted scientific methods and recognized as  
5        accurate by leading professional organizations and agencies with relevant  
6        experience, such as the American Medical Association.

7                C.(1) Beginning with the 2013-2014 school year and continuing thereafter,  
8        the governing authority of each public elementary and secondary school shall  
9        provide students, each year, medically accurate, developmentally appropriate, and  
10       age appropriate instruction, relative to sex education.

11               (2) Such instruction, as appropriate, shall include the following:

12               (a) Information about human sexuality as a normal and healthy aspect of  
13        human development.

14               (b) Information stressing that abstinence is the most reliable way to prevent  
15        pregnancy and sexually transmitted diseases.

16               (c) The health benefits, side effects, and proper use of contraceptives  
17        approved by the federal Food and Drug Administration to prevent unintended  
18        pregnancy and of barrier methods approved by the United States Food and Drug  
19        Administration to prevent sexually transmitted infections.

20               (d) Information which helps students develop relationship and  
21        communication skills necessary to form healthy, age appropriate relationships  
22        throughout their lives based on mutual respect and affection and free from violence,  
23        coercion, and intimidation.

24               (e) Lessons to help students develop skills in critical thinking, problem  
25        solving, decisionmaking, and stress management in order to make responsible  
26        decisions about sexuality and relationships.

27               (f) Emphasis on encouraging students to communicate with their parents,  
28        guardians, and other trusted adults about sexuality and intimate relations.



1 (15) Teaching regarding sex, ~~R.S. 17:281~~. R.S. 17:264.

2 \* \* \*

3 Section 3. R.S. 17:281 is hereby repealed in its entirety.

4 Section 4. Sections 2 and 3 of this Act shall become effective on July 1, 2013.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Smith

HB No. 820

**Abstract:** Requires rather than authorizes sex education in public schools.

Present law authorizes instruction in sex education as a permitted course of study. Proposed law repeals present law effective July 1, 2013, and requires, as of the 2013-2014 school year, public school governing authorities to provide instruction in sex education each year to students. Specifies that such instruction be medically accurate and developmentally and age appropriate and include the following:

- (1) Information about human sexuality as a normal and healthy aspect of human development.
- (2) Information stressing that abstinence is the most reliable way to prevent pregnancy and sexually transmitted diseases.
- (3) The health benefits, side effects, and proper use of contraceptives approved by the U.S. Food and Drug Administration (FDA) to prevent unintended pregnancy and of FDA-approved barrier methods to prevent sexually transmitted infections.
- (4) Information which helps students develop skills necessary to form healthy, age appropriate relationships.
- (5) Lessons to help students develop skills in critical thinking, problem solving, decisionmaking, and stress management.
- (6) Emphasis on encouraging students to communicate with parents about sexuality and intimate relations.

Requires public school governing authorities to make sex education materials available to parents and excuses students from instruction upon parental request. Requires the State Board of Elementary and Secondary Education (BESE) to prescribe guidelines and recommend curricula and teaching materials; to prescribe qualifications and training for instructors; and to adopt rules and regulations.

Provides that no part of sex education instruction shall in any way advocate or support abortion and authorizes public school governing authorities to accept federal funds when their use does not violate proposed law.

(Amends R.S. 17:3996(B)(15); Adds R.S. 17:264; Repeals R.S. 17:281)